



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

*AK*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/452,284	11/30/1999	MURALI DUVVURY	CISCO-1656	1103

7590 01/05/2004

DAVID B RITCHIE  
D'ALESSANDRO & RITCHIE  
P O BOX 640640  
SAN JOSE, CA 951640640

EXAMINER
----------

NGUYEN, BRIAN D

ART UNIT	PAPER NUMBER
----------	--------------

2661

DATE MAILED: 01/05/2004

*14*

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/452,284

Applicant(s)

DUVVURY, MURALI

Examiner

Brian D Nguyen

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on the amendment filed 11/19/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 15-20, 27-32 and 36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 15-20, 27-32 and 36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 15-20, 27-32, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lecheler et al (6,425,008) in view of Kanai (5,912,891).

Regarding claims 1, 15, 27, and 36, Lecheler discloses a system and a method for assigning private IP addresses (see col. 1, lines 43-49) to network devices in network 16 in a cluster, each device being capable of interconnecting at least two segments for forwarding data (see figures 1 and 2). The cluster of network devices comprises a commander network device (manager 40) having a public IP address (global address). Lecheler does not specifically disclose the private IP address is calculated as a function of the MAC address. However, Kanai discloses the private IP address is calculated as a function of the MAC address (see col. 8, lines 554-62). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to calculate the private IP address based on the MAC address as taught by Kanai in the system of Lecheler so that the assigning of the private IP address will be simpler and the matching of IP address to MAC can be easier.

Regarding claims 2, 4, 16-17, 19-20, 28-29, and 31-32, Lecheler discloses the network device is a LAN switch (see col. 5, line 25).

Art Unit: 2661

Regarding claims 3, 18, and 30, Lecheler discloses the private IP address is calculated by adding the value of one or more bytes of the MAC address to a base IP address (see figure 1 and col. 8, lines 54-62 where two bytes of the MAC is added to the base private IP address).

### *Response to Arguments*

3. Regarding Bestavros, Applicant's arguments with respect to claims 1-4, 15-20, 27-32, and 36 have been considered but are moot in view of the new ground(s) of rejection.

Regarding Kanai, the applicant argued that each of the emulation clients 112 and 113 of the same emulated LAN 110 has the IP address which has the common ("IP") and an added portion ("110.2" or "110.3") identifying the respective emulation client. The added portion "102.2" is common among the IP address, the ATM address, and the MAC address for the same emulation client. That is, the "110.2" portion is not based on or function of the MAC address but it is assigned in accordance with the identity of the emulation client, independent of the MAC address thereof. The examiner disagree, "IP" in the private IP address is the base private IP address. It could be 10.0 or any allowable base private IP address. The added portion is the two least significant byte of the private IP address. Because the added portion is common among the IP address and the MAC address, the IP address is a function of the MAC address. Otherwise, the IP address will not be a function of the MAC address. Note that figure 17 of the application show the step of "add the last tree bytes of MAC address from expansion switch to 10.0.0.0. In Kanai, two bytes are added.

### *Conclusion*

Art Unit: 2661

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian D Nguyen whose telephone number is (703) 305-5133.

The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Olms can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Brian Nguyen  
2661  
12/24/03